

Atty. Dkt. No. 033730-0102

AFB  
IFW

Applicant: Henricus Petrus Joseph TE RIELE, et al.  
Title: HOMOLOGOUS RECOMBINATION IN MISMATCH  
REPAIR INACTIVATED EUKARYOTIC CELLS  
Appl. No.: 09/884,877  
Filing Date: 6/20/2001  
Examiner: J. Woitach  
Art Unit: 1632

**AMENDMENT TRANSMITTAL**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☐ Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous assertion of Small Entity status.
- ☒ ATCC Depository (3 pgs.) and Affidavit of Hein Te Riele (1 pg.).
- ☒ The fee required for additional claims is calculated below:

	Claims As Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
Total Claims:	17	-	49	=	0	x	\$50.00	=	\$0.00
Independent Claims:	3	-	3	=	0	x	\$200.00	=	\$0.00
First presentation of any Multiple Dependent Claims:						+	\$360.00	=	\$0.00
CLAIMS FEE TOTAL								=	\$0.00

- ☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input checked="" type="checkbox"/>	Extension for response filed within the first month:	\$120.00	\$120.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$450.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the third month:	\$1,020.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,590.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$2,160.00	\$0.00
	EXTENSION FEE TOTAL:		\$120.00
<input type="checkbox"/>	Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$130.00	\$0.00
	CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$120.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):		\$0.00
	TOTAL FEE:		\$120.00

☐ Please charge Deposit Account No. 19-0741 in the amount of \$120.00. A duplicate copy of this transmittal is enclosed.

☒ A check in the amount of \$120.00 is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

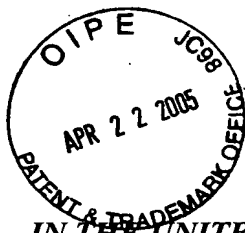
Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date April 22, 2005

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 672-5569  
Facsimile: (202) 672-5399

By Alexey Sapirgin  
Reg. No. 56,439  
FOR Stephen B. Maebius  
Attorney for Applicant  
Registration No. 35,264



Atty. Dkt. No. 033730-0102

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant:** Henricus Petrus Joseph TE RIELE,  
et al.

**Title:** HOMOLOGOUS  
RECOMBINATION IN  
MISMATCH REPAIR  
INACTIVATED EUKARYOTIC  
CELLS

**Appl. No.:** 09/884,877

**Filing Date:** 6/20/2001

**Examiner:** J. Woitach

**Art Unit:** 1632

**AMENDMENT AND REPLY UNDER 37 CFR 1.116**

Mail Stop FINAL  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This communication is responsive to the Final Office Action dated 12/23/04,  
concerning the above-referenced patent application.

Applicants have enclosed with this amendment a Petition for Extension of Time to  
make this response timely. Also enclosed with this communication are a copy of Budapest  
Treaty Deposit Form indicating that a deposition of the cell line MSH2/9 under number  
RH532 was made on March 16, 2005, at ATCC Depository; and an affidavit by Hein Te Riele  
stating that the cell lines were deposited under the Budapest Treaty and that the cell lines will  
be irrevocably and without restriction released to the public upon the issuance of a patent.

04/25/2005 JADD01 00000023 09884877

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**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this document.

**Remarks** begin on page 6 of this document.

Please amend the application as follows: